

REMARKS

Summary of the Office Action

Claims 1, 3-43 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,708,780 to Levergood et al.

Summary of the Response to the Office Action

Claims 1, 3, 6 and 11 have been amended to more clearly define the invention. Therefore, claims 1, 3-43 are presently pending.

The Rejection Under 35 U.S.C. §102(e)

Claims 1, 3-43 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5, 708, 780 to Levergood et al. The rejection is traversed as being based on a reference that neither teaches nor suggests the novel combination of features clearly recited in amended independent claims 1, 6, and 11 and unchanged independent claims 3, 22, 27, 31 and 39.

First briefly in overview, the present invention is directed to systems and processing methods for implementing commerce on the world wide web. Various enhancements are described, principally stemming from the use of linking information to promote web-based commerce.

In one embodiment, a web content collection tool, such as a “web speeder,” or other technique, is used to collect information from select web pages. A comparison is made with stored information, with the results used to make assessments respecting commerce associated with the scanned pages. For example, and by way of illustration only, the scanned content can be

assessed to see if the products promoted on that page are consistent with the information presented in the content. This will increase the effectiveness of promotions, enhancing the performance of the system.

Other variations of web-based commerce, including selective trading and reporting techniques are found in the claims of record. Each of these variations stands in stark contrast to the disclosures found in the prior art, including the cited references and the art of record in both the earlier parent cases.

Applicant respectfully submits that Levergood et al. does not teach or suggest at least the elements in amended independent claim 1. This claim presents a system for downloading and analyzing web page contents and assessing this content in the context of goods and services promoted or to be promoted on that site. This is also true with respect to the other independent claims. Specifically, Levergood et al. does not teach or suggest the Content Provider, Clearinghouse server and Merchant site of independent claims 3, 6, 11, 27, 31 and 39 wherein the Merchant Site obtains information triggered by the Content Provider from the Clearinghouse server and the Merchant Site submits information to the Clearinghouse Server relating to activity on the Merchant Site. Moreover, the combination of steps relating to commerce using the Clearinghouse Server in independent claim 22 is neither taught nor suggested in Levergood et al.

Levergood et al. instead discloses a method for controlling and monitoring access to network servers. (See the Abstract) According to Levergood et al., when a user clicks on a hyperlink on a web page, the browser used for viewing the web page forwards the request to a content server which “processes the request by first determining whether the requested page is a controlled document.” If the requested page is uncontrolled, the content server records the URL

and IP address associated with the user computer in a log and sends the requested page to the browser for display on the user computer. Col. 5, lines 17-41. If the requested page is controlled, the content server determines if the URL sent by the browser includes an SID. If the URL does not include an SID, the content server forwards the request to an authentication server in order for the user to obtain the required SID. Col. 5, lines 42-49. If, however, the URL does include an SID, the content server determines whether the request is directed to a page within the domain. The content server then requests the page associated with the URL, records the SID and IP address in a log and validates the SID. Col. 5, line 66 – Col. 6, line 8. Thereafter, the content server searches the page for any links to controlled documents on other servers and augments each absolute URL with the SID to facilitate authenticated access across multiple content servers. The requested page is then transmitted to the browser for display on the user computer. Col. 6, lines 17-26.

Applicant respectfully asserts that Levergood et al. simply does not teach, suggest or discuss in any way selectively downloading particular ones of the plurality of web pages and examining the selected web page content to determine whether the content thereon is related to products promoted on said web page. The Office Action suggests that the “process of viewing a document or page and identifying the user to access the requested page” is equivalent to the element of scanning code and downloading a page. Applicant respectfully disagrees with this suggestion. The Office Action further suggests that “since when viewing a page, a user can also scan or download the viewing page and examine the web page content to determine whether the content thereon is appropriate for products promoted or advertised on the web page,” Levergood et al. anticipates claim 1. Applicant also disagrees with this suggestion. What the Browser can

do is irrelevant in an anticipation analysis - which must focus on what is specifically taught – not theoretically possible. Levergood et al. in no way teaches, suggests or discusses in any way Applicant's invention as claimed. Nor does, Levergood et al. discuss a network with a content provider, a clearinghouse site, and a merchant site each of which are used during a specific commercial transaction.

Therefore, Applicant respectfully submits that the rejection under 35 U.S.C. §102(e) should be withdrawn because Levergood et al. does not teach or suggest each feature of independent claims 1, 3, 6, 11, 22, 27, 31 and 39. Furthermore, Applicant respectfully asserts that dependent claims 4-5, 7-10, 12-21, 23-26, 28-30, 32-38 and 40-43 are allowable at least because of their dependence on claims 1, 3, 6, 11, 22, 27, 31 and 39 respectively and the reasons set forth above.

Conclusion

In view of the foregoing, Applicant respectfully requests reconsideration and the timely allowance of pending claims 1, 3-43. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

EXCEPT for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Dated: November 24, 2003


By: 

James M. Bollinger, Esq.
Registration No. 32,555
Telephone No. (212) 309-6000

Customer No. 009629
MORGAN, LEWIS & BOCKIUS LLP
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004
Tel: 202.739.3000
Fax: 202.739.3001

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22312-1450


Rosann Macchio